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6 Attorneys for Defendants
 7 PAUL MIOVAS, KEVIN MANSOURIAN (erroneously sued
 8 herein as "KEVIN MANSURIAN"), MICHELE LIGOURI,
 KRISTA SANSEN, DAVID SAVAGE, JEFFREY KRIEGER,
 9 JOE SURGES, DAVID LIVINGSTON, and CITY OF
 CONCORD

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12
 13 RODGER BOX,

14 Plaintiff,

15 vs.

16 PAUL MIOVAS, KEVIN MANSURIAN,
 17 MICHELE LIGOURI, KRISTA SANSEN,
 DAVID SAVAGE, JEFFREY KRIEGER,
 18 JOE SURGES, DAVID LIVINGSTON,
 DOES 1-99, CITY OF CONCORD,
 CALIFORNIA ,

19 Defendants.
 20

Case No. C12-4347 JSW

**[PROPOSED] ORDER STAYING CIVIL
 ACTION PENDING CRIMINAL APPEAL**

Date: May 10, 2013

Time: 9:00 a.m.

Dept: 11 - 19th Floor

Judge: Hon. Jeffrey S. White

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 22 Defendants motion to stay this civil action pending the final resolution of Plaintiff Rodger
 23 Box's appeal of his criminal conviction for a violation of Penal Code § 148(a)(1) in Contra Costa
 24 County Superior Court, arising out of the subject incident on August 21, 2010, came before this
 25 Court. Good cause having been shown, and after full consideration of the moving papers and
 26 supporting documents, and any opposition and opposing arguments, the Court finds that
 27 Defendant's motion to stay is hereby GRANTED.

28 Based on the *Younger* abstention doctrine, as well as *Heck* and its progeny, a stay of

1 this civil action is warranted to preserve Defendants' potential defense arguments and to
2 prevent the Plaintiff from collaterally attacking his criminal conviction, if upheld by the
3 Appellate Court, in this civil forum. *Younger v. Harris*, 401 U.S. 37, 43-45 (1971), *Heck v.*
4 *Humphrey*, 512 U.S. 477 (1994).

5 ACCORDINGLY, IT IS HEREBY ORDERED as follows:

6 THIS CIVIL ACTION IS STAYED in all respects pending the final resolution of Plaintiff
7 Rodger Box's appeal of his criminal conviction for a violation of Penal Code § 148(a)(1) in
8 Contra Costa County Superior Court, Appellate Division Case No. 5-120866-9, Trial Court Case
9 No. 1-150794-6.

10 The parties are ORDERED to provide this Court with a joint status update within twenty-
11 one (21) days of any final ruling and/or final order on the pending criminal appeal.

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13 IT IS SO ORDERED.

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15 Dated: April 8, 2013

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Hon. District Court Judge Jeffrey S. White